



Townsend Town Council Special Meeting
October 19th, 2022 @ 7:00 pm
VIA CONFERENCE CALL &
Town Hall
141 Main St, Townsend, DE 19734

7:00 pm Town Council Special Meeting

I. Call to Order: 7 pm

II. Opening Ceremonies

a. Roll Call:

1. Mayor S. Lobdell,
Councilman J. Mertz,
Councilwoman S.

Rojas, Councilwoman E. Clarke, Town Manager A. Tantillo, Town Clerk M. Rivera, Town Solicitor L. Hatfield, Town Engineer E. Van-Otoo, Financial Officer J. Helms, Chief of Police R. Longo, and Sergeant E. McCloskey.

2. Councilman Dugan was absent from the meeting.

b. Pledge of Allegiance: All present recited the Pledge of Allegiance.

c. Recognition of Visitors: Allen C. Emsley, Eppie Forest, and Theodore Forrest

d. Announcements:

1. CW Rojas announced the Town will have a Town Train at the Townsend Elementary Trunk or Treat on Friday, October 21st and that a Pumpkin Patch with pumpkins will be available for pickup at Townhall; courtesy of the municipal waste provider, GFL. TM Tantillo confirmed once the Pumpkin Patch is ready it will be posted on the Town's website and Facebook page. CM Mertz confirmed setup for the Trunk or Treat will begin at 5 pm and the event will be from 6 pm to 7 pm. TM Tantillo advised the Pumpkin Patch will open at roughly 6:15 pm.

III. Adoption of Agenda.

- a. *CM Mertz made a motion to adopt the agenda as written. CW Rojas seconded the motion. Voice vote of Council: all yea's.***

IV. Citizens Comments & Participation

- a.** Ms. Forest introduced herself and her son, Mr. Forest, as residents of 307 Main Street. They explained that an application for a Zoning Variance was submitted for their property to the Board of Adjustment and that they will attend the November 2nd Board of Adjustment Meeting. Both Ms. Forest and Mr. Forest noted the Town has been very helpful throughout the process and really enjoys being residents of the Town.
- b.** Mr. Emsley suggested additional construction signage be posted physically on roads to notify drivers if there is a closing on a street due to construction or of a possible issue on the road. He explained his suggestion is due to when he was driving down Main Street and there was a closure due to construction. Mr. Emsley noted that the construction is over now and that he did see the posts on the Town sites after the fact. Mr. Emsley clarified that he was able to see that these notices were sent in advance. TM Tantillo confirmed the construction work was for a utility tie-in at the Hidden Creek Development and has been completed. TM Tantillo advised she

Town Meetings will return to both an in person and a virtual format.

Those wishing to attend virtually may dial **1(301)715-8592**. When directed, provide following meeting ID **827- 6421-7575#** and then the following password **361631#** to enter the meeting. If you choose to access the meeting online click the following link: <https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xiME1HV0ZOcHRxSHZ3QT09>

Residents will be able to view documents posted to the meeting tab on the Town website at www.townsend.delaware.gov or by joining the meeting via computer.

has reached out to the Company regarding this situation and will be even more proactive with companies for future occurrences. Chief Longo also advised he addressed this issue with the company before and during the construction that signage was needed.

V. Approval / Rejection of Minutes

a. ACTION ITEM: Approval/ Rejection of Council Minutes from the October 5^h, 2022, Town Council Meeting.

b. ACTION ITEM: Approval/ Rejection of Council Minutes from the October 5^h, 2022, Town Council Meeting Executive Session.

1. TS Hatfield advised three votes are needed to pass an item, if one member of Council abstains leaving only two members to vote than the item cannot pass. The Mayor is only able to vote if there is a tie between four votes.
2. *CM Mertz made a motion to table the approval/rejection of Council Minutes from the October 5th, 2022, Town Council Meeting and the approval/rejection of Council Minutes from the October 5th, 2022, Town Council Meeting Executive Session to the next Council Meeting. CW Rojas seconded the motion. Voice vote of Council: all yea's.*

VI. Reports

a. Mayor

1. Discussion regarding upcoming meetings for November, December, and January.

- a. Mayor Lobdell explained that the only meeting that Council must hold, per the Town Charter, is the meeting held on the first Wednesday of each Month. Mayor Lobdell further explained that the Special Council meeting can be held at any point in time, so long as enough notice is provided, in accordance with the Town Charter and FOIA. Mayor Lobdell asked Council if they would agree to hold the Town Council Special Meetings for the upcoming months of November, December, and January; only if a vote is needed on special items, due to the holidays. TM Tantillo confirmed that she will notify the Council if there are any items, such as an ordinance or resolution that may be urgent or require a vote which would warrant a Special Meeting to be held. TM Tantillo assured she will notify Council in advance to schedule the meetings and ensure public postings are posted on time.
- b. Mayor Lobdell noted the upcoming Special Meetings would fall on or before a holiday and would need to be moved if they are to decide that the meetings must be kept. He also noted that quorum could be an issue if Council Members are not in attendance due to a holiday. All Council Members present held a brief discussion and came to an agreement to only hold Special Meetings for the months of November, December, and January, if necessary.

b. Town of Townsend Police Chief's Report

1. ACTION ITEM: No items to be discussed.

c. Town Solicitor N. Christopher Griffiths

1. ACTION ITEM: No items to be discussed.

d. Town Engineer Edwin Van-Otoo

1. ACTION ITEM: No items to be discussed.

e. Town Manager

1. TM Tantillo announced that she has been advised that there will be a slight price increase for the Town Engineering services starting in January. TM Tantillo explained per the contract the Town has with RVE, the company may increase their service rates yearly. TE Van-Otoo reminded Council that there have been conversations over the past couple of years of rate increases, but the rates were never increased. TE Van-Otoo clarified that this is not a typical rate increase but is more of an adjustment pertaining to inflation and notes that the company has held off on this due to nationwide circumstances, which is why they are waiting until January for the rates to increase.
2. **ACTION ITEM: Discussion and possible vote to authorize professional engineering design services for the Town of Townsend Pole Barn Building.**
 - a. TM Tantillo explained that during the last Special Meeting discussion Council Members authorized her and TE Van-Otoo to begin gathering preliminary quotes and bids for the Pole Barn project that has been underway and discussed for the past year and a half. TM Tantillo explained that this building would serve as the Town's Public Works Department Building. TM Tantillo noted that this project is a high priority item, and the Town has ARPA Funds available that may be utilized for this project. TM Tantillo explained that the project requires support from the Town Engineer such as assisting with the RFP, the design, and oversight of the project inspections. TM Tantillo opened the discussion for TE Van-Otoo to present his proposal.
 - b. TE Van-Otoo presented the following proposal, totaling \$53,900.00. TE Van-Otoo stated the proposal has three components: the design, bidding, and construction administration. TE Van-Otoo briefly explained the design of the Pole Barn, as discussed last year, will be used for public works purposes with a possible exploration for public works department offices to be included. TE Van-Otoo provided additional information regarding the design process; explaining the cost, of \$30,400.00, relates to any architectural and structural M and P such as: the heating and ventilation, plumbing, and electrical services. TE Van-Otoo advised the cost, of \$3,400.00, for the bidding process. TE Van-Otoo advised that formal quotes will be needed this year after the design phase is completed. TE Van-Otoo also advised since inflation may have raised the amounts stated on the preliminary exploratory quotes, additional exploratory quotes will be obtained. TE Van-Otoo explained the cost, of \$20,100.00 is, for construction administration includes the cost of RVE's proposed rate increases.
 - c. Mayor Lobdell asked if site plans will be included in the proposal. TE Van-Otoo confirmed there will be site plans.
 - d. TM Tantillo advised the proposal is being presented to Council as it is not currently included in the Engineering Budget. Additionally, this proposal provides details of what the engineering expenses of this project will be. TM Tantillo explained that once this proposal is approved, the next step would be the design phase which will be presented to Council upon completion. After the design is approved by Council, TM Tantillo explained that she and TE Van-Otoo will be able to begin the public bidding process.

- e. CW Rojas asked if there is a specific date that the design will be presented to Council. TM Tantillo stated she is looking to have this presented to Council by December. TM Tantillo confirmed since this project is using ARPA funds the Town does have to begin the project as soon as possible to allocate the funds by the year 2024 and spend the funds by the year 2026.
 - f. CM Mertz and Mayor Lobdell asked TE Van-Otoo for further clarification of exclusion number two listed on the proposal. TE Van-Otoo stated he will gather more information to provide further clarification on this item.
 - g. *CM Mertz made a motion to authorize professional engineering design services for the Town of Townsend Pole Barn Building as presented by RVE on condition that further clarification on exclusion number two will be provided and site plans will be included. CW Clarke seconded the motion. Voice vote of Council: all yea's.*
3. **ACTION ITEM: Discussion and possible vote regarding the selection of the ARPA items for the Townsend Police Department**
- a. TM Tantillo stated the second action item that she wanted to present to the Town for the use of ARPA funds are from the Town of Townsend Police Department. TM Tantillo explained that Chief Longo has brought to the Town's attention three items that are needed for the Town of Townsend Police Department.
 - i. Chief Longo stated the first item needed by the Town of Townsend Police Department are radios. Chief Longo explained the current radios that are worn (portable) and installed in the vehicles will be shut off by the company on December 31st, 2023. Chief Longo clarified that this is a Nationwide system upgrade that is required. Chief Longo explained that without these radios there will be a major concern with public safety as the current radio's will be inoperable, leaving the officers with only portable radios. Chief Longo explained that the portable radios have already been approved for purchase by Town Council. Chief Longo stated the quote that has been received is for \$23,365.84.
 - ii. Chief Longo stated the second item on his proposal is for police vehicles. Chief Longo explained that the Townsend Police Department has received another opportunity to obtain two outfitted police vehicles, excluding the radios, from the State vehicle fleet. Chief Longo stated these new police vehicles are similar to the police vehicles already being driven in quality. He also stated that these new vehicles will remain at the price of \$10,000.00. Chief Longo explained he is requesting the amount of \$25,000.00 for the new police vehicles so that it will cover the cost of: the police vehicles, the marking of the Townsend Police Department logos on the police vehicles, police vehicle inspections, and radio installations.
 - iii. Chief Longo announced the third item on his proposal is for MVRs (Mobile Vehicle Recording Systems). Chief Longo explained that these cameras are from AXON which is the same company the Townsend Police Department's Body Worn Camera's (BWC) and Tasers come from. Chief Longo explained the BWC's working sync with the MVRs and advised that these vehicle cameras will provide an additional view of what the officers are seeing while they are driving. He further explained that the vehicle cameras will provide an

additional angle during a traffic stop while officers are outside of the vehicle. Chief Longo confirmed the company has included installation as part of the total cost, \$34,560.00. Chief Longo clarified the quote includes the quantity of two additional radios so Council is aware of what the total cost will be if the two police vehicles are added to the Townsend Police Department fleet.

- a. Sergeant McCloskey noted that the quote also consists of modems that will be installed into the vehicles. Sergeant McCloskey explained these modems will provide a more consistent signal, as well as a cloud service that ties into the police camera system that is already in place. Sergeant McCloskey advised this is exactly what the State Police use for their systems and will bring the Town's Police Department up to par with other agencies.
- iv. Mayor Lobdell clarified that any projects using ARPA funds are not using taxpayer money. Mayor Lobdell explained ARPA funds are granted from the federal government as part of COVID-19 pandemic relief assistance. He also explained that ARPA funds may be used for any items the Town wants to use the funds for and if there is any amount not spent by the Town, then the government may take it back. Mayor Lobdell clarified that by utilizing the ARPA funds for projects, such as the following action items from TM Tantillo, it will allow the Town to provide services for the residents without increasing the tax rates.
- v. *CM Mertz made a motion to approved item letter A listed on his proposal for the cost of \$23,365.84 using ARPA funds for the Police Radios. CW Rojas seconded the motion.*
 - a. *Roll Call Vote of Council: CW Clarke- yea, CM Mertz- yea, and CW Rojas- yea.*
- vi. CM Mertz made a motion to approve item letter B listed on Chief Longo's proposal of marked patrol vehicles from the Delaware State Surplus for the amount of \$27,000.00 using ARPA funds contingent on the inspection stating there this no major work needed on the vehicles. CW Clarke seconded the motion. Motion died.
 - a. TS Hatfield advised that the motion is too vague and suggested to put an amount limit rather than stating no major work needed on the vehicles. TS Hatfield also advised that Council may state "so long as it does not exceed the \$27,000.00".
- vii. *CM Mertz amended his motion for approval of, item letter B using ARPA funds for Chief Longo's proposal of marked patrol vehicles from the Delaware State Surplus to be contingent on the inspection; that if any improvements are needed, it does not exceed the amount of \$27,000.00 along with the purchase of the vehicles. CW Clarke seconded the motion.*
 - a. *Roll Call Vote of Council: CW Clarke- yea, CM Mertz- yea, and CW Rojas- yea.*
- viii. *CM Mertz made a motion to approve item letter C listed on Chief Longo's proposal for the Police Mobile Vehicle Recording Systems for the total amount of \$34,560.00 using ARPA funds. CW Rojas seconded the motion.*

- a. *Roll Call Vote of Council: CW Clarke- yea, CM Mertz- yea, and CW Rojas- yea.*
- ix. Mayor Lobdell asked what the lead time for the radios and the mobile vehicle recording systems. Chief Longo confirmed the current lead time for the radios is six to nine months. Chief Longo confirmed the current lead time for these cameras is at least eight months to a year.
- 4. **ACTION ITEM: Discussion and possible vote on Resolution 2022-023 A Resolution to Authorize the Agreement of the DNREC 2022 Surface Water Matching Planning Grant to Complete the Stormwater Management Study and Project Match**
 - a. TM Tantillo stated that the Town has received a second matching grant from DNREC for the completion of the Stormwater Management Study and Project. TM Tantillo confirmed the Town received the first grant last year in 2021 and it was authorized it in February of 2022. She confirmed the total cost of the project is \$148,252.20. TM Tantillo explained the total amount for the first grant received was for \$50,000.00 leaving the Town's obligation to match funds of \$50,000.00 plus the remaining \$48,252.20 totaling \$98,252.20. TM Tantillo confirmed the Town has applied for a second grant to cover a portion of the Town's remaining \$48,252.20. TM Tantillo explained with this second grant award \$24,126.00 it will now reduce the Town's total obligation to \$74,126.20 instead of the original total of \$98,252.20. TM Tantillo explained the resolution presented authorizes the Town to proceed with the grant agreement for the additional grant match and explains that the Town now has to match less funds than previously approved, so the Town can complete the Stormwater Management Study and Project.
 - b. CM Mertz asked if the Town's funding obligation for this project is from the Towns Budget. TM Tantillo confirmed this project is utilizing MSA funds, Municipal Street Aid.
 - c. TM Tantillo clarified that each grant application only awards up to a \$50,000.00 match. In 2021 the Town applied for the first grant and received a \$50,000.00 match. The Town has reapplied in 2022 and has received an additional match in the amount of \$24,126.00.
 - d. TM Tantillo asked if all have read the Resolution. Mayor and Council confirmed they read the resolution. TM Tantillo provided a short reading of Resolution 2022-023 A Resolution to Authorize the Agreement of the DNREC 2022 Surface Water Matching Planning Grant to Complete the Stormwater Management Study and Project Match
 - e. *CM Mertz made a motion to approve Resolution 2022-023 A Resolution to Authorize the Agreement of the DNREC 2022 Surface Water Matching Planning Grant to Complete the Stormwater Management Study and Project Match. CW Rojas seconded the motion.*
 - i. *Roll Call Vote of Council: CW Clarke- yea, CM Mertz- yea, and CW Rojas- yea.*
- 5. CM Mertz asked TM Tantillo for an update on the status of stop sign quotes. TM Tantillo stated an update is forthcoming and should be presented at the next meeting.
- 6. TM Tantillo confirmed light fixtures for the Pavilion at the Town Park have been replaced and repaired in good working order.
- f. New Castle County Councilman David Carter

1. ACTION ITEM: No items to be discussed.

VII. Committee Reports

- a. **Finance Committee:** Chair: Councilman Dugan, Co-Chair: Mayor Lobdell
 - a. ACTION ITEM: No items to be discussed.
- b. **Human Resources Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Dugan
- c. **Public Works Committee:** Chair: Councilman Dugan, Co-Chair: Councilman Mertz
 - a. ACTION ITEM: No items to be discussed.
- d. **Land Use and Development Committee:** Chair: Councilwoman Rojas, Co-Chair: Mayor Lobdell
 - a. ACTION ITEM: No items to be discussed.
- e. **Veterans Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilwoman Rojas
 - a. ACTION ITEM: No items to be discussed.
- f. **Public Safety Committee:** Chair: Councilman Mertz, Co-Chair: Councilwoman Clarke
 - a. ACTION ITEM: No items to be discussed.
- g. **Community Engagement Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilwoman Rojas
 - a. **ACTION ITEM: Updates on Town of Townsend Community Engagement Activities.**
 - i. CW Rojas announced a small ceremony on Veterans Day will be held at Townhall starting at 11 am. CW Rojas explained the Cub Scouts will be reading the poppy poem and hand out items to event goers. She further explained someone will be reading a prayer before the moment of silence at 11:11 am and the windows of Townhall will be decorated with children's drawings. CW Rojas explained the importance of this event is to thank those who have served our country and noted less than one percent are currently serving.
 - ii. TM Tantillo advised event updates are forthcoming.
- h. **Code Review Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Mertz
 - a. ACTION ITEM: No items to be discussed.
- i. **National Wildlife and Historic Preservation Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilman Dugan
 - a. ACTION ITEM: No items to be discussed.

VIII. Adjournment

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- a. *CM Mertz made a motion to adjourn the meeting. CW Clarke seconded the motion. Voice vote of Council: All yea's.*
 - b. *Meeting adjourned at 7:58 pm.*
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